

1 MELISSA MEEKER HARNETT (Bar No. 164309)

[mharnett@wccelaw.com](mailto:mharnett@wccelaw.com)

2 JESSE B. LEVIN (Bar No. 268047)

[jlevin@wccelaw.com](mailto:jlevin@wccelaw.com)

3 **WASSERMAN, COMDEN, CASSELMAN & ESENSTEN, L.L.P.**

5567 Reseda Boulevard, Suite 330

4 Post Office Box 7033

Tarzana, California 91357-7033

5 Telephone: (818) 705-6800 • (323) 872-0995

Facsimile: (818) 996-8266

6 CRAIG J. ACKERMANN, (Bar No. 229832)

[cja@laborgators.com](mailto:cja@laborgators.com)

7 DEVIN C. COYLE, (Bar No. 267194)

[devin@laborgators.com](mailto:devin@laborgators.com)

8 **ACKERMANN & TILAJEF, P.C.**

9 1180 South Beverly Drive, Suite 610

Los Angeles, California 90035

10 Telephone: (310) 277-0614

Facsimile: (310) 277-0635

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12 Attorneys for Plaintiff and the putative class

13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

16 ROBERT COHEN, individually and on  
17 behalf of all others similarly situated,

18 Plaintiff,

19 vs.

20 UNITED HEALTHCARE SERVICES,  
21 INC.,

22 Defendant.

CASE NO. 10-2027 CAS (ANx)

**CLASS ACTION**

**PLAINTIFFS' NOTICE OF  
MOTION FOR FINAL APPROVAL  
OF CLASS ACTION SETTLEMENT**

Date: Monday, June 6, 2011

Time: 10:00 a.m.

Judge: Hon. Christina A. Snyder

1       **NOTICE IS HEREBY GIVEN** that, on Monday, June 6, 2011, at 10:00  
2 a.m., or as soon thereafter as the matter may be heard, in Courtroom 5 of the United  
3 States District Court for the Central District of California before the Honorable  
4 Judge Christina A. Snyder, Plaintiff Robert Cohen ("Plaintiff") on behalf of himself  
5 and all others similarly situated, will and does hereby move the Court pursuant to  
6 Rule 23(e) to:

7       (1) Finally approve the proposed Joint Stipulation of Class Action Settlement  
8 (the "Agreement") and Settlement Fund of \$1,250,000.00. A Net Settlement Fund  
9 ("NSF") would be distributed to class members, with no reversion to Defendant,  
10 after deduction of incentive award of \$12,000.00 to Named Plaintiff in recognition  
11 of his services to the class; deduction of \$5,000.00 for a PAGA payment to the  
12 California Labor Workforce Development Agency; and deduction of \$18,000.00 for  
13 claims administration by Simpluris, Inc.;

14       (2) Finally certify the class for purposes of settlement;

15       (3) Finally appoint Plaintiff as Class Representative for purposes of  
16 settlement;

17       (4) Finally appoint Wasserman, Comden, Casselman & Esensten, L.L.P.,  
18 ("WCCE") and Ackermann & Tilajef, P.C., ("A&T") as Class Counsel for purposes  
19 of settlement; and

20       (5) Grant an Enhancement Award of \$12,000.00 to Named Plaintiff Robert  
21 Cohen in recognition of his service to the Class

22       (6) Order that Defendant pay actual administration costs to Simpluris, Inc. in  
23 the amount of \$18,000;

24       (7) Order distribution of the Net Settlement Fund to participating Class  
25 Members.

26       This Motion is hereby made based on this Notice of Motion, the  
27 accompanying Memorandum of Points and Authorities, Declarations of Melissa  
28 Meeker Harnett, Craig Ackermann, and Tony Dang and exhibits thereto, and

1 Proposed Order Granting Motion, and upon Plaintiff's Motion for Attorneys' Fees  
2 and Costs and all documents filed in support thereof, and upon such other oral and  
3 documentary evidence as may be presented at the time of the hearing, on all of the  
4 pleadings, records, and papers on file in this action, and upon whatever additional  
5 argument and evidence that may be presented to the Court at the time of the hearing.

6 DATED: May 16, 2011

Respectfully submitted,

7 **WASSERMAN, COMDEN,**  
8 **CASSELMAN & ESENSTEN, L.L.P.**  
9 MELISSA MEEKER HARNETT  
JESSE B. LEVIN

10 **ACKERMANN & TILAJEF, P.C.**  
11 CRAIG ACKERMANN  
DEVIN COYLE

12 By: /s/Melissa M. Harnett  
13 MELISSA MEEKER HARNETT  
14 Attorneys for Plaintiff Robert Cohen,  
15 individually and on behalf of all others  
16 similarly situated  
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